

AN ORDINANCE 2007-08-30-0913

CONSOLIDATING REFERENCES TO FACILITY AND STREET NAMING IN A NEW ARTICLE XVI TO BE LOCATED IN CHAPTER 6, "BUILDINGS" OF THE CITY CODE OF SAN ANTONIO, TEXAS; INCREASING THE APPLICATION FEE FOR THE RENAMING OF STREETS; REQUIRING THE APPLICANT TO PAY FOR THE NOTIFICATION PROCESS OF A STREET NAME CHANGE; AND STREAMLINING THE APPROVAL PROCESS.

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Code of San Antonio, Chapter 2 "Administration" Article VI entitled "Naming of City Facilities and Streets" is hereby repealed in its entirety.

SECTION 2. The City Code of San Antonio, Chapter 6 "Buildings" is hereby amended by adding a new Article XVI entitled "Naming of City Facilities and Streets" as follows:

ARTICLE XVI. NAMING OF CITY FACILITIES AND STREETS.

DIVISION 1. GENERALLY

Sec. 6-660. Definitions.

The following definitions shall apply within this article:

Committee shall mean a body existing to perform the functions of this article consisting of, unless otherwise decided and appointed by the City Council, all council members in whose districts the facility or street is located; a community representative from each district in which the facility or street is located who would otherwise be noticed under this article to be appointed by the councilmember for that district; and, for a facility, all heads of departments to which the facility belongs, or, for a street, the Director of Public Works and the Director of Development Services.

Department shall mean the Development Services Department unless specified otherwise.

Director shall mean the Director of the Development Services Department unless otherwise specified.

Facility shall mean anything that is built, constructed, installed, grown, or established to perform or be used for a particular function or to serve or facilitate some particular city purpose. This shall include but not be limited to recreational and sports buildings and areas, community centers, fire and police stations, office buildings, theaters, parks, hiking or nature trails, refuges, convention centers, bridges, fountains, gardens, or gazebos.

Property Owner shall mean the person shown on the Bexar County Appraisal District's real property ad valorem tax rolls as the responsible party for payment of property taxes.

Street shall mean any public highway or road within the city limits.

Street Name Change Coordinator shall be the Development Services staff member assigned to coordinate all aspects of the name change process.

Significant reason shall mean a thoughtful, important, notable, or meaningful explanation or justification for an action.

U.D.C. approval shall mean approval in accordance with section 35-506(h)(1) of this Code.

U.D.C. procedure shall mean the procedure specified in section 35-506(h)(5) of this Code.

Sec. 6-661. Exclusions

This article shall not apply to the naming of library facilities in accordance with the City's Charter. A library facility shall be named in accordance with the process established by the City's public library system's board of trustees.

Sec. 6-662. Choices of names.

- (a) In all cases, the name choice should reflect and be appropriate to the type of facility, the facility's or street's location, and the character and history of the particular community in which it exists.
- (b) If the name is to honor a living person, caution should be exercised to ensure that the person is of such a character that the name shall still hold honor upon that person's death.
- (c) Although the choices for a name are unlimited, names generally should be chosen to reflect:
 - (1) The location or geographical area or feature;
 - (2) Memorials to national or state leaders or figures;
 - (3) Memorials to San Antonio or local leaders or persons;
 - (4) Mascots or characters of folklore and fiction;
 - (5) Events or affairs of historic significance (battles, treaties, disasters);
 - (6) Ideals or goals (unity, harmony, patriotism);
 - (7) Significant causes (independence, suffrage, equality);
 - (8) Facilitators or benefactors of the property or facility;
 - (9) Traditional names for that type of facility (numbers for fire stations, locations for police stations).
- (d) Any change of a facility's or streets existing name should be done only for a significant reason.

(1) A significant reason for a street name change includes the following:

- i. to establish continuity of a street name
- ii. to eliminate duplication of name spelling or phonetics
- iii. to correct a misspelling
- iv. to enhance ease of location
- v. for consistency with the street numbering system designation, including compass direction
- vi. to provide a necessary roadway designation, including: "street," "road," "lane," "circle," "drive," or "boulevard"
- vii. to honor a person, place, institution, group, entity, or event
- viii. to enhance a neighborhood through the association of a street name with its location, area characteristics, and history

(2) A significant reason for a facility name change includes honoring a person, place, institution, group, entity, or event.

DIVISION 2. CHOOSING INITIAL NAMES

Sec. 6-663. Commencement of process for naming of facility and specific areas; suggestion of initial name.

- (a) The process to choose the initial name of any facility shall begin before the facility's completion upon presentment of a letter suggesting such to the city clerk.
- (b) Specific rooms, areas, or other parts of a facility may be named individually before or after the completion of a facility.
- (c) The name(s) shall be suggested to the committee by:
 - (1) City staff;
 - (2) The councilmember in whose district it is located; and/or
 - (3) A community representative.
- (d) A facility naming fee shall not be required upon presentment of a letter to the city clerk. Estimated sign costs shall be collected prior to committee consideration.
- (e) Signage shall complement the architecture and design of the building.
- (f) The suggested name(s) shall be given to the city clerk who shall then deliver it to all appropriate councilmember and department head committee members.

Sec. 6-664. Initial street name to receive U.D.C. approval; new street's name chosen by developer; suggestion of street name.

- (a) In no circumstance shall a street have or be given a name that has not received prior U.D.C. approval.
- (b) New streets shall have the name chosen by their developer and committee consideration is not required.
- (c) In cases of no developer-given name, the name(s) shall be suggested to the committee as in section 6-663(c) and follow the procedure in section 6-665 below. The committee shall take no action regarding a suggested name until that name receives U.D.C. approval.
- (d) Developer is responsible for the costs of the sign(s).

Sec. 6-665. Committee procedure for selecting facility name; submission of name to city council.

- (a) Once the city clerk has forwarded the initial name submission, the committee shall designate the date for its public hearing to consider the suggested facility name within thirty (30) days of its receipt. The committee may consider the naming of multiple facilities, rooms or parts of facilities within its member's jurisdiction during one (1) meeting.
- (b) Upon designating the date for public hearing, the committee shall immediately cause notice to be served:
 - (1) By mail to all residents or businesses within a two-hundred (200) foot radius of the facility to be named; or
 - (2) By mail to all residents, businesses, and owners of the properties on the street to be named. Note: This is only required where the developer does not choose a street name;
 - (3) By public service announcements, press releases, and other appropriate community bulletins to the entire city.
- (c) The date the committee shall meet to consider the suggested facility name shall not be more than ninety (90) days from the date of receipt of the suggested name nor be less than forty-five (45) days from the date the notice is mailed.

Example: The committee receives a street name request on day one (1) but does not choose a hearing date until day thirty (30). This hearing date may not be later than day ninety (90) as calculated from the date of receipt. Further, the committee may not set the hearing date until day seventy-five (75) if it is assumed that the notice is mailed on day thirty (30) because the hearing date cannot be less than forty-five (45) days from the date the notice is mailed.
- (d) The committee shall meet on the designated date to consider the submitted name(s). This meeting shall be open to the public and time shall be allowed for public comment. The committee shall either approve the submitted name and forward to City Council or reject the submitted name.
- (e) Within ten (10) working days, the committee shall forward in writing both the submitted name and its rationale for approving it to City Council. No name shall be forwarded unaccompanied by the committee's rationale.

Sec. 6-666. Contents of notice.

- (a) Notices for facility choice of name shall contain:
 - (1) A statement explaining the process to name a facility, room, or part of a facility;
 - (2) The submitted name(s);
 - (3) A description of what is to be named and its general location;
 - (4) Any submitted reason for the name(s), if applicable;
 - (5) The date, time, and place of the meeting to consider the suggested name(s);
 - (6) A statement that the meeting shall be open to the public and shall provide time for public comment;
 - (7) Information directing that any written response in favor of or against a submitted name may be sent to a named point of contact at a corresponding mailing address up until and including the scheduled committee hearing date. For calculation purposes of the two-thirds (2/3) responses in Sec. 6-667 (b), only those responses postmarked on or prior to the hearing date shall be considered.
- (b) If the naming of more than one (1) facility, room, or part of a facility is to be considered at one (1) meeting, the information required by subsection (a), above, for each individual facility, room or part of a facility to be considered at that meeting may be included in one (1) notice.
- (c) It shall be the responsibility of the department(s) to which the facility belongs to ensure proper delivery and content of all notices under this article. In cases of street names without developer approval, the responsibility shall be that of the Department.

Sec. 6-667. City council action.

- (a) The name chosen and submitted by the committee as required by section 6-665(e) shall be considered by the City Council as soon as practical. Subject to section 6-667(b) below, the council shall adopt or reject the name. Should the City Council adopt the name, the committee's written rationale shall be kept for historical reference.
- (b) If two-thirds (2/3) of the responses to the committee's written notice of a suggested name are against the suggested name, eight (8) votes of the City Council members shall be required in order to adopt the suggested name.

DIVISION 3. CHANGING THE NAME OF FACILITY OR STREET.

Sec. 6-668. Commencement of process for renaming facility and specific areas; suggestion of new name.

- (a) A request to change the name of a facility shall be filed with the office of the city clerk by:
 - (1) An individual, group, agency or business
 - (2) An officer or attorney representing a governmental subdivision, agency, or department

- (b) Specific rooms, areas, or other parts of a facility may be renamed individually.
- (c) Once filed and complete, the city clerk shall deliver it to all appropriate council members and department-head committee members.
- (d) The request to change the name of a facility shall be complete upon submitting:
 - (1) The current official facility name
 - (2) The proposed new facility name
 - (3) The name, address, and telephone number of each person, group, agency, or entity requesting the facility name change
 - (4) The names, addresses, and telephone numbers of all of the property owners, residents, businesses, and tenants located within 200 feet of the facility in favor of the name change
 - (5) Fees
 - i. request fee
 - ii. estimated facility sign replacement costs
 - iii. The projected notification fee(s)
- (e) The requesting party, other than the City, shall pay the fees by cash, cashier's check, or certified check.

Sec. 6-669. Commencement of the process for changing the name of a street

- (a) The process to change the name of a street shall begin by filing a complete application with the Development Services Department. The application may be filed by:
 - (1) An individual, group, agency or business;
 - (2) An officer or attorney representing a governmental subdivision, agency, or department; or
 - (3) The Director of Development Services if it is determined that the street name change is in the best interest of the health, safety, welfare and public safety of the citizens of San Antonio.
- (b) The application shall be on a form prescribed by the Development Services Department.
- (c) A complete application shall include:
 - (1) The current official street name
 - (2) The proposed new street name

- (3) The name, address, and telephone number of each person, group, agency, or entity requesting the street name change
- (4) The names and addresses of all property owners, businesses, tenants and residents affected by the street name change.
- (5) The non-refundable application fee
- (6) The new street sign manufacture and installation fee
- (7) The projected notification fee(s)
- (d) An applicant, other than the city, shall pay the following fees by cash, cashier's check, or certified check:
 - (1) The application processing fee of \$500.
 - (2) The estimated costs of the manufacture and installation of new street name signs. The estimated cost may be requested from the street name change coordinator prior to application submission.
 - (3) The estimated costs associated with notification requirements. Notification fees for the committee hearing may not be collected if the applicant secures signatures from 75% of the total affected parties as described below.
- (e) Once the Department is in possession of complete application, it has no more than ninety (90) days to present it for administrative review and approval, forward to the committee and schedule it on the City Council's agenda as described in section 6-670 (b) below.

Sec. 6-670. Committee procedure for approving name change; submission of name to city council; bypassing Committee review.

- (a) Bypassing committee review:
 - (1) A facility name change request shall not bypass the committee under any circumstances.
 - (2) A committee hearing for the renaming of streets may be bypassed only upon presenting a petition consisting of the signed names, addresses and telephone numbers of 75% of all property owners, businesses, tenants and residences affected by the street name change who are in favor of the street name change.
 - (3) The Department shall not set a completed application and attached petition that qualifies to bypass the committee hearing on the City Council agenda without meeting the administrative review requirements below. In such cases, the Department itself shall research the rationale for and any significance of the original name and include the results with the reason for the new name. It shall be rebuttably presumed that the name change is in the community's best interest.
- (b) Committee review and recommendation:

- (1) In all other requests to rename streets, the applications shall require committee review and recommendation. The committee shall research the rationale for and any significance of the original name. The written results of this research shall be included with the reason for the new name as required by section 6-662 above.
- (2) Time limitations shall not exceed ninety (90) days total from the time the application is complete to submitting a name to the City Council. For computation purposes, the ninety (90) day period begins when the application is complete.
 - i. The Department has fifteen (15) days to forward the completed application to the committee.
 - ii. Once the committee has receipt of the completed application, the committee shall designate the date for its public hearing to consider the suggested street name. The committee may consider renaming multiple streets within its member's jurisdiction during one (1) meeting.
 - iii. Once the public hearing date has been chosen, the Department shall immediately cause notice to be served:
 1. By mail to all residents, businesses, and owners of the properties on the street to be named;
 2. By public service announcements, press releases, and other appropriate community bulletins to the entire city.
 - iv. A period of at least fifteen (15) days shall be required in order to give the Department sufficient time to provide notice.
 - v. The committee shall meet on the designated date to consider the submitted name(s). This meeting shall be open to the public and time shall be allowed for public comment. The committee shall either approve the submitted name and forward to City Council or reject the submitted name. Should the committee reject the submitted name, estimated sign costs shall be reimbursed.
 - vi. Within thirty (30) days of concluding that the name should be changed, the committee shall submit in writing both the submitted name and its rationale for the choice to City Council. No name shall be submitted unaccompanied by the committee's rationale.
- (3) A committee vote to deny the applicant's request to rename shall end the issue and the request will not proceed to City Council. The applicant shall be refunded the new street sign manufacture and installation fee.

Sec. 6-671. Administrative Review

- (a) The Department shall distribute copies of the application for review and comment to:

- (1) The United States Postal Service
 - (2) The Historic Preservation Office
 - (3) The Public Works Department
 - (4) The Fire Department
 - (5) The Police Department
 - (6) Bexar Metro 9-1-1 Network
 - (7) City Public Service Energy
 - (8) any other department or entity the Director may determine is appropriate
- (b) In no circumstance shall the committee recommend a street name change without receiving prior approval as listed in section 35-506(h) of the Unified Development Code.

Sec. 6-672. Contents of notice.

- (a) Notices for renaming facilities or streets shall contain the following:
- (1) A statement explaining the process to rename a facility, room, or part of a facility, or street;
 - (2) The submitted name(s);
 - (3) A description of what is to be renamed and its general location;
 - (4) Any submitted reason for the name(s), if applicable;
 - (5) The date, time, and place of the meeting to consider the submitted name(s);
 - (6) A statement that the meeting shall be open to the public and shall provide time for public comment;
 - (7) Information directing that any written response in favor of or against a submitted name change may be sent to a named point of contact at a corresponding mailing address up until and including the scheduled committee hearing date. For calculation purposes of the two-thirds (2/3) responses in section 6-667(b), only those responses postmarked on or prior to the hearing date shall be considered.
- (b) If the renaming of more than one (1) facility, room, or part of a facility, and/or street is to be considered at one (1) meeting, the information required by subsection (a), above, for each individual facility, room or part of a facility, and/or street to be considered at that meeting may be included in one (1) notice.
- (c) The Department shall notify the property owners, residents, and businesses located on the subject street of a proposed street name change. For facility names, it will be the responsibility of the department(s) to which the facility belongs to notify the property owners, residents, tenants and businesses located within two-hundred (200) feet of the facility. There shall be a notification period of thirty (30) days before the name change is sent to City Council. This will afford the recipient the opportunity to notify the department(s) of their support of, or opposition to, the proposed street / facility name change. The Department shall not issue an owner/resident/business notification unless the applicant has paid all required fees.

Sec. 6-673. Required fees for renaming facilities and streets; Refunds

- (a) An applicant, other than the City, shall pay the following fees by cash, cashier's check, or certified check:
- (b) For Facilities
The applicant shall be required to pay for facility renaming signage. Signage shall complement the architecture and design of the building.
- (c) For Streets
 - (1) The applicant is responsible for the cost of replacing any and all street signs that may be changed. This includes, but is not limited to, any and all signs maintained by the Texas Department of Transportation (TxDOT). Applicant will be responsible for paying any applicable TxDOT fees. The applicant is also responsible for estimated costs associated with notice requirements and the application processing fee of five-hundred dollars (\$500).
 - (2) All required fees are to be paid to the Department at the time of application.
 - (3) If an application for a street name change is denied either by committee or City Council, the new street sign manufacture and installation fee shall be refunded to the applicant by the Department.

Sec. 6-674. City council action.

- (a) Prior Committee Review and Submittal
 - (1) The committee shall forward the submitted name to the City Council as soon as practical, but in no case more than thirty (30) days. Subject to section 6-674 (a)(2) below, the City Council shall adopt or reject the name. Should the City Council adopt the name, the committee's written rationale shall be kept for historical reference. Should the City Council reject the submitted name, the process is over.
 - (2) If two-thirds (2/3) of the responses to the committee's written notice of a suggested name are against changing the existing name, eight (8) votes of the City Council members shall be required in order to adopt the suggested name.
- (b) Department Submittal
 - (1) The Department shall forward the request to rename a street directly to the City Council within the ninety (90) day period where 75% of the affected parties approve of the change. The City Council may adopt or reject the change in name.
 - (2) Where 75% of the affected parties approve of the street name change by petition, a regular City Council vote of six (6) members shall be required in order to adopt the suggested name.

Sec. 6-675. Implementation of Approved Street Name Change

The Department shall administratively implement a street name change approved by the City Council and the Public Works Department shall install new street signs.

Sec. 6-676. Notice of Name Change to Governmental Entities, Others

The Department shall provide a copy of each recorded street name change Ordinance to:

- (a) Each governmental entity, City department, or other person that participated in the review and comment process
- (b) The tax appraisal district
- (c) Any other person the department requests
- (d) Homeowners, tenants, and businesses affected by the name change

SECTION 3. Article I. "In General," Sec. 29-19 entitled "Fees for street name changes" of the City Code of San Antonio, Texas is hereby amended by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) and :

Sec, 29-19. Reserved Fees for street name changes.

- (a) ~~An application processing fee in the amount of two hundred fifty dollars (\$250.00) is hereby established for each street name change request or petition.~~
- (b) ~~An installation fee in the amount of one hundred fifty dollars (\$150.00) for each sign that needs to be changed per each street intersection is hereby established for all approved street name changes.~~
- (c) ~~Requests shall be submitted to the city clerk. The above fees shall be collected by the building inspections department prior to submission of the request to the city council, with the installation fee to be refunded if the request is not approved.~~

SECTION 4 Wherever a fee amended or established for a specific code section by this Ordinance is reflected in the Fee Schedule for the Development Services Department, the Fee Schedule shall be amended to reflect the new or amended fee.

SECTION 5. To the extent there is a conflict with another Ordinance or provision of the City Code, this Ordinance shall supersede.

SECTION 6. There is no financial impact realized through the passage of this Ordinance.

SECTION 7. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this Ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 8. No other provision of the City Code is amended hereby. All other provisions shall remain in effect.

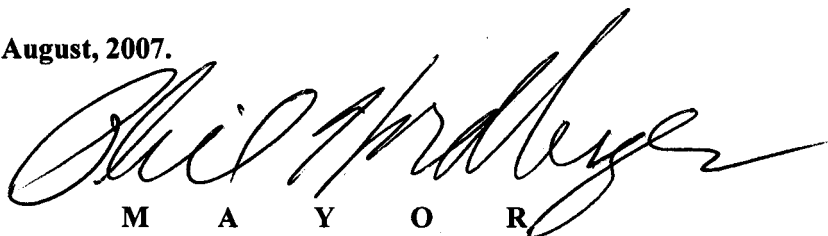
SECTION 9. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public

business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Revised Civil Statutes Annotated as amended Title 5, Chapter 551, Government Code.

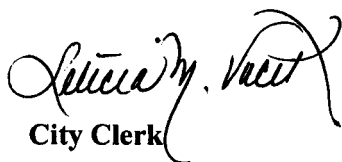
SECTION 10. The publishers of the City Code are authorized to amend the City Code to reflect the changes adopted herein.

SECTION 11. This Ordinance shall be effective on the 10th day of September, 2007.

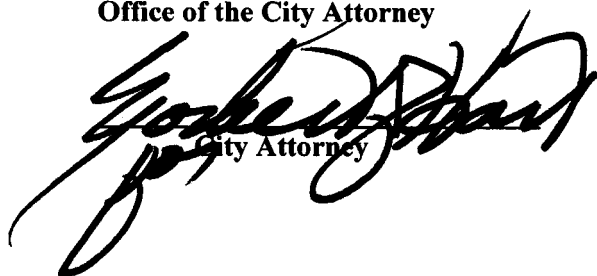
PASSED AND APPROVED this 30th day of August, 2007.


M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:
Office of the City Attorney


City Attorney